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A Professional Corporation

**Fax Transmission** | January 10, 2005TO: Commissioner for Patents  
Attn: Examiner PATEL  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: Douglas P. Mueller

OUR REF: 10873.897US01  
TELEPHONE: 612.371.5237

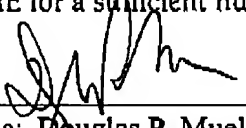
Total pages, including cover letter: 3

PTO FAX NUMBER 1-703-872-9306

If you do NOT receive all of the pages, please telephone us at 612.336.4638, or fax us at 612.332.9081.

Title of OFFICIAL Document Transmitted: Response to Restriction Requirement  
Applicant: YAMAMOTO et al.  
Serial No.: 10/086,944  
Filed: 02/28/02  
Group Art Unit: 2655  
Confirmation No. 4437  
Our Ref. No.: 10873.897US01

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By:   
Name: Douglas P. Mueller  
Reg. No.: 30,300

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

  
Sender's Name: Gina DahlJanuary 10, 2005  
Date

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S/N 10/086,944

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	YAMAMOTO ET AL.	Examiner:	PATEL
Serial No.:	10/086,944	Group Art Unit:	2655
Filed:	February 28, 2002	Docket No.:	10873.897US01
Title:	OPTICAL RECORDING MEDIUM, OPTICAL INFORMATION PROCESSING APPARATUS AND OPTICAL RECORDING AND REPRODUCING METHOD		

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on January 10, 2005.

By:   
Name: Gina M. Dahl

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants elect Group I (claims 1 to 7) in response to the Restriction Requirement of December 9, 2004. Applicants traverse the restriction requirement to the extent of requesting that the non-elected Groups II and III be retained for possible reinstatement if elected claims are found allowable.

Applicants further elect species I. Claims 1-3 read upon the elected species. Claim 1 is generic. While Applicants are not conceding an absence of patentable distinction among the species, Applicants respectfully suggest that the subject matter of the non-elected species that of the elected species have a sufficiently close relationship that examination of the non-elected species would not represent an undue burden in the present application.

S/N 10/086,944

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An early and favorable action on the merits is requested.

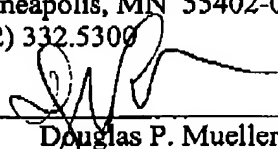
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No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
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Dated: January 10, 2005

By:   
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DPM/gmd